

# **REGION 7**

## **CITIZENS ADVISORY COUNCIL**

### ***Meeting Notes***

### ***July 16, 2008***

**CAC ATTENDANCE:** Rob Reukauf, Art Hayes, Julie Jordan, Greg Mohr, Chris Pileski, Fulton Castleberry, Warren Broeder, Todd Steadman, Mary Zeiss Stange, Jim Schaefer, Bob Hagedorn, and Scott Studiner

**FWP STAFF ATTENDANCE:** Bryce Christensen, Dwayne Andrews, John Ensign, Ginger Omland, Steve Atwood, and Brad Schmitz.

**Bryce Christensen** had everyone introduce themselves to new member, Bob Hagedorn, who is a landowner and ranches on Pumpkin Creek south of Miles City.

#### **Ginger Omland - Highway Deer Accidents**

At our January meeting, questions were asked regarding the 17-mile stretch of deer fence that has been constructed east of Miles City on Interstate 94. One of the questions was related to the number of deer that had previously been hit within that stretch. Ginger contacted Pierre Jomini, MDOT Safety Management Engineer, in Helena for information and listed some of those statistics in the January CAC meeting notes. Since that time, she has visited with Ray Mengel, District Administrator of the Glendive District MDOT and other DOT employees to provide the following information:

The location for the fence was chosen due to the high number of deer collisions recorded in that area. Ginger handed out a chart with collision statistics with corresponding map showing the 17-mile stretch. The project was funded by a federal grant from DOT. The cost was approximately two million. There is a possibility that more fence may be constructed in the western part of the state.

To date, only one deer has been hit since the fence was constructed because it was inside the fenced area and was hit before escaping. Comments have been very favorable regarding the fence because of safety reasons and it is also keeping insurance costs down.

John Ensign commented there are actually several projects being looked at or under construction across the state.

## **Steve Atwood - R-7 Block Management Program 2008 Status Report**

Steve handed out stats of R-7 Block Management program and discussed. He commented that, at present, R7 is down approximately 13 cooperators but that the big thing is the acres that are being lost because some of the larger ranches are getting out of the program and smaller ones are enrolling. Steve went over the attrition list that he compiled and a brief comment on why the ranches got out of block management. One of his concerns is that a lot of them have been in program for a long time and have stated that it is not worth their time anymore money wise. These cooperators say they would rather take no money and not have the pressure of people calling all the time and the guilt of turning folks down. They do want to manage their land properly and not see it overrun.

Todd asked if those people would still allow public hunting? Steve said he thought they would.

Todd asked if there were any ideas in regards to increasing membership.

Steve said he is frustrated at this point. They have made recommendations, as well as CAC members, which were sent to Helena and nothing has been changed.

Todd wondered what the process is and who has the authority to change the rules.

Steve said a lot of it is legislative. John Ensign said there will be a meeting the first week in September where the coordinators and regional supervisors, etc. will go through some of the ideas that have originated and see where we, as a department, will take these.

Todd asked if it would be in place by 2009. John replied that if it is something that can be done internally, they could have it in place by 2009. If it takes legislation, it would probably have to be postponed by a year.

Bryce thought it definitely has everyone's attention in the state, finally, and it is frustrating and the answers seem to come slower than you would expect. These are all huge issues that affect lots of people. There was one significant turn of events this spring which was to track turkey hunters for block management this spring and then to pay for it next year which has never been done before. Hopefully, in the September meeting, some decisions will be made.

John said the PL/PW is meeting in Miles City the 14<sup>th</sup> and 15<sup>th</sup> of August. He suggested that there are opportunities for public comment at this meeting and encouraged folks to attend.

Mary asked what are some of the solutions from PL/PW?

Steve answered that one that should pass is to change the license incentives to where a cooperator can designate by marriage and also extend it. Currently, they have to be a landowner of record to not have a deduction, so they are planning on discarding that to

where a person's son lives out of state and they are not on the deed, they can get a license. Also, to increase the hunter days has been discussed.

Todd said a lot of struggles with elk issue are evolving around access issues. So if there were any good ideas to incorporate with that, they could bypass that channel and not recycle same issues.

Steve remarked that, as coordinators, what is adding to the frustration is that the program has money but we cannot spend it because they have not been given the authority.

Rob said the cooperators need to be given a bonus to keep their interest and show they are appreciated.

Steve agreed and said one of the things that has been discussed is a longevity payment.

John E felt that those kinds of things could be completed now and not wait for legislature.

Rob said it pays to feel appreciated that they are providing a service for people to do something that they enjoy. Although, with the high price of gas, there might not be any hunters this year.

Bryce said the point regarding gas is a good one too. Bryce thinks the number of days per hunter would be declining. Bryce said just because the money is there it cannot be spent without legislature's approval.

Scott asked if there was any way to measure the quality of the ranches?

Steve said no and that the system is all set up off the use and they rely on the landowner to manage accordingly. He went on to explain a few of the special circumstance situations.

Bryce said we need to pay attention to comments made where we are looking for solutions.

Rob said there is a place for comments on the sheets mailed back in and could gather good information there.

Steve said most of contracts are annual agreements for staff to contact block management cooperators and Bryce thought field staff are contacting cooperators at least once a year if not more.

Todd said it was discussed at one of their elk meeting that some places should be paid more if more animals were there.

John E said one of the difficult things is fairness and equity between the cooperators which plays a big part. John E related that in the beginning of the program it was more like that but now with the growth of the program, the auditors tend to question more things.

Jim S. wondered if there was some type of payment that could be tied to hunter success rate as opposed to numbers of hunters which would be fair to everyone and give you an idea of what quality of hunting there is.

Rob said trophy hunters won't shoot anything less than five or six points and then there are hunters that are out there because it is their once a year hunting trip and some don't kill but see game and he thought that was better way to measure quality.

John E. said that the idea behind this program is to try to help a landowner with his game management.

Mary felt some sort of compensation would be appropriate.

### **Greg and Todd - Archery Elk Working Group Update**

Todd gave a quick overview of the group which consists of eight people. He said one issue seems to lead to others such as private property issues and access issues tied to it. The challenge is trying to come up with an agreeable solution to everyone. One of the problems is finding out why commissioners came up with the set of rules that they did. During the public comment period, 70% of public were not in favor of the new rules and then they were passed. The commissioners are to give the committee insight on that before the next meeting. The only thing that has come out so far is the inequity between rifle hunters and bow hunters. Todd believes that in the next two meetings, there will be a decision made to get something to the commission. Todd's opinion is that the decision will be broader than just the 23 districts and will impact hunting in Montana, not just 23 districts.

Greg said main issue is so much controversy. Greg feels that the information given to the committee is not enough motivation to have made such a decision. One of the members of the committee brought up one key question as to why the breaks were omitted and then these other 23 districts put into it? Part of the committee's task is to come up with suggestions to take care of this particular problem when the interesting thing that they were told and understand is that what was adopted is not going to change back. The committee feels strongly about why the regulations were passed when 75% of the public comment was not in favor of them.

Todd said one of the comments made at that meeting was that it was unfortunate that the group formed after the fact and no groups formed to work on this ahead of time to which Todd responded that the Citizen's Advisory Committees are for that purpose. He feels there needs to be more authority given to CAC which in turn would give more authority to the local FWP. Todd said this isn't a FWP issue but a commission issue.

Greg said another concern was could anything get done in just four meetings?

Todd said one of the better ideas was to implement mandatory reporting with harvested elk which would actually give numbers to assess if there is a problem with access, property, non-resident vs resident issues, etc.

Greg said one theory that was brought up as far as how the decision was made was that 60% killed by bow hunters and 40% were killed by gun hunters. Taking those numbers, if 40% were killed by 150 gun hunters, how would it be compared to the 60% that were killed by 2200 bow hunters? Another guy voiced that FWP had taken the stand that bow hunters are not a management tool for wildlife because of success rates. That's why it would be a good idea to have mandatory reporting.

John E. said they have been tasked with something to do in four meetings that FWP has wrestled with for ten years. It is not as simple as it looks. The Commission tends to think of long-term changes that may not see the benefits of them for 5 to 10 years. The public views this as how it will affect them now, not what it will be like in future. Most people don't think how it will benefit hunting in general, sport recreation, or what it will do to landowner-sportsman relationships. John believes that the Commission is not to have people focus on the immediate but the effects down the road in the future.

Scott S. said he feels the system is working.

Jim S. said you make a decision based on what the customer wants

Scott S said that before an action comes out of an agency, there are several proposals being talked over, both positives and negatives, and considered before anything takes shape and it comes to the public.

Art thinks the proposed action right now would not have that much effect.

John said quite a bit of comment has been made from the original proposals to the final decision, that the commission has not budged when, in fact, they have budged quite a bit.

Todd said one of the concerns is that if the problem was that the breaks are overcrowded, and new rules were proposed to alleviate that crowding, this will probably do just the opposite because of the limits on archery hunters in the breaks.

Art likes the limited because of the hunter having to make a commitment to the area which makes him a better hunter. Art also favored Todd's idea of mandatory reporting.

Todd said that would be an opportunity to see the real numbers of what is being harvested.

Scott S said he would like to see real numbers but considering the length of time it would take to compile a good database, he believes the commission and FWP probably went on circumstantial evidence to the best of their ability, otherwise it would be five or six years down the road.

Todd said they may not solve the elk hunting issue but that down the road some good solutions may arise that will positively affect other things down the line.

Scott S. and Todd S. believe the real fear from the public landowner and sportsman is what will be next.

#### **Brad Schmitz - Ft Peck Hatchery Funding Issue Update**

Brad apologized because he did not have anything prepared but said he would get something out by email or would catch up with the issue at the next meeting.

Bryce said that in a statewide survey that was completed, there was a significant vote in favor of the offer that R7 CAC proposed which was to raise the fishing license a dollar or two and eliminate the warm water stamp. Every thing that was asked for by this CAC is going to be part of the deal. There should be legislation forthcoming to honor that request.

Todd said the general sportsman would be more than willing to give FWP the tools to make the necessary changes that they see fit as they occur.

Greg said the big thing is flexibility because of the diversity of this state.

John E said sportsmen need to let legislators know because that is who will ultimately make decisions that affect you.

Chris P said it is the job of CAC to take these issues to legislature.

#### **Bryce Christensen showed a short video on the American Prairie Foundation**

#### **Open discussion**

Jim S. asked about a couple of items which included the Rosebud Battlefield and the scenic overlook in the Terry badlands.

Bryce explained that the Rosebud Battlefield, on July 22<sup>nd</sup>, will soon be recognized as a national historic landmark designation which is very significant.

The second item was in regards to the scenic overview in the Terry Badlands. It is a disputed road issue. It does involve hunting, recreation, and a lot of economic opportunities for the city of Terry and Prairie County. A new landowner bought the ranch and discovered there was an agreement which opened up the whole ranch to recreational access that could be canceled with 30 days notice with BLM. The landowner gave them 30 days notice and canceled the agreement. Fences were changed and gates installed which changed access to scenic drive overlook. Other landowners agreed that the road should be opened to the public because it was a public road. The commissioners are negotiating with the landowner. The big question is if it is a public road or not.

Rob said the whole thing is a very tough situation and went on to explain his understanding of it.

Julie said the process started a year ago to get roads designated as county roads in Garfield county because of people that might come in and buy land and block access to roads.

Meeting adjourned.

**THE NEXT CAC MEETING WILL BE WEDNESDAY, DECEMBER 3, 2008.**